

# COUNTY OF YORK

## MEMORANDUM

**DATE:** November 8, 2000 (BOS Mtg. 12/19/00)

**TO:** York County Board of Supervisors

**FROM:** James E. Barnett, County Attorney

**SUBJECT:** Claxton Creek Sewer Project

As with most utility projects, in the Claxton Creek sewer project, there are certain easements we need to obtain for the project that for various reasons cannot be immediately obtained by voluntary conveyances. Fortunately, so as not to unduly hinder or prevent projects such as water or sewer that are designed to benefit an entire community, state law permits the Board, after the adoption of an ordinance or resolution following a public hearing, and the subsequent recordation of certificates of take, to enter upon and take the easements necessary for the project, prior to formal condemnation proceedings being initiated. The recordation of such a certificate binds the County to pay the owners at least the amounts set out in the Board's resolution. The figures reflected in the attached resolution are based on appraisals prepared by staff and reviewed by the County Assessor, and represent the most recent offers made for the easements.

In the Claxton Creek sewer project, the following have been identified as the remaining easements that need to be acquired:

Official Tax Parcel 25J-3-J  
Property of Robert L. Biggers

Official Tax Parcel 25A-1-E  
Property of Bryant S. Byrd

Official Tax Parcel 25-33  
Property of Waverly V. Dryden and Ruth A. Dryden

Official Tax Parcel 25-65  
Property of Barbara C. Higginbotham

Official Tax Parcel 25J-1-1  
Property of W. A. Lockley Estate

Official Tax Parcel 25-98A  
Property of Dalton A. McLawhorn & Frances H. McLawhorn

Official Tax Parcel 25J-3-H  
Property of Kenneth R. Pritchard

Official Tax Parcel 25-40  
Property of Donald Ray Shields

Official Tax Parcel 25-104  
Property of David H. Snell and Michelle M. Snell

Official Tax Parcel 25-100B  
Property of John D. Wydur and Carole G. Wydur

I have attached for your consideration a proposed resolution that will authorize the filing of certificates of take, and the entry onto the properties for the purpose of constructing the needed utilities thereon. The easements are shown on the plats, copies of which are also attached.

Barnett/3340:sw  
Attachments: Plats, Resolution R00-196